

EXHIBIT 3

I, David J. Yarnall am president and Director of Forensic Computing with IT Acceleration, Inc., ("IT Acceleration") located in Wayne, Pennsylvania.

1. IT Acceleration is a full-service technology management company that has been providing computer forensic services for over ten years.

2. All of IT Acceleration's forensic analysts are certified by the International Society of Forensic Computer Examiners.

3. All of IT Acceleration's senior analysts have a minimum of 20 years of information technology experience.

4. I state that I am familiar with the facts set forth in this Certification and that the facts set forth herein are true and correct to the best of my knowledge, information and belief. This Certification is made subject to the penalties of 28 U.S.C. § 1746 for unsworn falsification to authorities.

5. I originally was contacted on or about March 23, 2011 by Paul Greco, Esq. of the law firm Conrad O'Brien PC, which was representing John P. Marotta.

6. IT Acceleration subsequently was engaged by both Conrad O'Brien PC on behalf of Mr. Marotta and the law firm Fisher & Phillips, LLP ("F&P"), on behalf of Emerge Medical, Inc. ("Emerge")

7. When IT Acceleration was engaged, the Emerge staff included Mr. Marotta, Chaun Q. Powell and Zachary W. Stassen.

8. IT Acceleration's engagement scope was to preserve data from devices and data repositories used by Emerge employees and to run defined search terms against the collected data for counsel to review.

9. IT Acceleration received Emerge's devices and data in four manners: (1) IT Acceleration employee, Joe Baxter traveled to Denver, Colorado and physically acquired forensic images of computer devices, and all forensic images acquired were authenticated by means of an MD5 hash to validate that the images were exact duplicates of the devices acquired; (2) IT Acceleration received at its Wayne, Pennsylvania headquarters additional devices through UPS delivery, which were sent by Emerge employees; and (3) Emerge's e-data documents online repository, known as Jungle Disk, a RackSpace hosting service, was acquired through an Internet connection utilizing Jungle Disk Work Group Software; and (4) Emerge's online Microsoft Exchange acquisition and preservation was performed via the Internet using Outlook to create .pst files of Emerge employees' mailboxes.

10. An inventory of collected data is attached as Exhibit A.

11. A catalogue of the search terms used is attached as Exhibit B.

12. All preservation efforts were conducted utilizing industry forensic tools, utilities and best practices.

13. The search results were provided to The MCS Group ("MCS"), a Philadelphia based litigation support firm, which is currently providing hosted document review for counsel for Mr. Marotta and Emerge.

14. The search results provided to MCS consisted of 76,112 documents uploaded to Relativity for review and potential production.

15. MCS started receiving data from IT Acceleration in April 2011 at which point counsel from Conrad O'Brien PC and F&P were being trained on Relativity, an application commonly used for reviewing documents for litigation.

16. On or about January 17, 2012, I became aware that the law firm Kaufman Dolowich Voluck & Gonzo LLP ("KDVG") had taken over for F&P, representing Emerge, and Marks O'Neill O'Brien & Courtney PC ("MOOC") had taken over for Conrad O'Brien PC, representing John Marotta.

17. A training session for KDVG and MOOC staff was conducted to help transition document review to new counsel.

18. There have been no reported issues related to the preservation, searching or review of the data related to this matter.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

David J. Yarnall

President – IT Acceleration, Inc.

EXHIBIT 3-A

Exhibit A – Preservation Evidence Inventory

DATE PRINTED: 8/21/2012

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-1
Category: Hard Disk/Tape/Computer
Description: Image of Chaun Powell laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-2
Category: Hard Disk/Tape/Computer
Description: Copy of Image of Chaun Powell laptop Hard Drive.
Date Acquired:
Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-3
Category: Hard Disk/Tape/Computer
Description: Image of Zach Stassen original laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-4
Category: Hard Disk/Tape/Computer
Description: Copy of Image of Zach Stassen laptop Hard Drive.
Date Acquired:
Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-5
Category: Hard Disk/Tape/Computer
Description: Image of John Marotta laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-6
Category: Hard Disk/Tape/Computer
Description: Copy of Image of John Marotta laptop Hard Drive.
Date Acquired:
Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-7
Category: Hard Disk/Tape/Computer
Description: Image of Zach Stassen New laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-8
Category: Hard Disk/Tape/Computer
Description: Copy of Image of Zach Stassen New laptop Hard Drive.
Date Acquired:
Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-9

Category:: Hard Disk/Tape/Computer
Description: Clone of Zach Stassen original laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-10
Category:: Mobile Device (Phone, PDA)
Description: Image of Chaun Powell iPhone.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-11
Category:: Mobile Device (Phone, PDA)
Description: Image of John Marotta iPhone.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-12
Category:: Mobile Device (Phone, PDA)
Description: Image of John Marotta iPad.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-13
Category:: Mobile Device (Phone, PDA)
Description: Image of Zach Stassen iPhone.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-14
Category:: Hard Disk/Tape/Computer
Description: Image of the Jungle Disk shared files for Zach Stassen, Chaun Powell, and John Marotta.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-15
Category:: Hard Disk/Tape/Computer
Description: Clone of the Jungle Disk shared files for Zach Stassen, Chaun Powell, and John Marotta.
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-16
Category:: Mobile Device (Phone, PDA)
Description: Clone of Chaun Powell iPhone.
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-17
Category:: Hard Disk/Tape/Computer
Description: Clone of Chaun Powell laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-18
Category:: Hard Disk/Tape/Computer
Description: Clone of John Marotta laptop Hard Drive.
Date Acquired:

Location: IN: IT Acceleration => EC01-01

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-19
Category: Mobile Device (Phone, PDA)
Description: Clone of John Marotta iPhone.
Date Acquired:
Location: IN: IT Acceleration => EC01-01**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-20
Category: Mobile Device (Phone, PDA)
Description: Clone of John Marotta iPad.
Date Acquired:
Location: IN: IT Acceleration => EC01-01**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-21
Category: Hard Disk/Tape/Computer
Description: Clone of Zach Stassen New laptop Hard Drive.
Date Acquired:
Location: IN: IT Acceleration => EC01-01**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-22
Category: Mobile Device (Phone, PDA)
Description: Clone of Zach Stassen iPhone.
Date Acquired:
Location: IN: IT Acceleration => EC01-01**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-23
Category: Hard Disk/Tape/Computer
Description: Downloaded Exchange files for Zach Stassen, Chaun Powell, and John Marotta.
Date Acquired:
Location: IN: IT Acceleration => EL01-03-Right**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-24
Category: Hard Disk/Tape/Computer
Description: Chaun Powell Western Digital external hard drive, was originally identified as Zach Stassen's.
Date Acquired:
Location: Item currently 'Disposed Of'**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-25
Category: Hard Disk/Tape/Computer
Description: Chaun Powell HP Tablet PC
Date Acquired:
Location: Item currently 'Disposed Of'**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-26
Category: Mobile Device (Phone, PDA)
Description: Zach Stassen AT&T Blackberry Bold phone
Date Acquired:
Location: Item currently 'Disposed Of'**

**Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-27
Category: Mobile Device (Phone, PDA)
Description: Image of Zach Stassen AT&T Blackberry Bold phone
Date Acquired:
Location: IN: IT Acceleration => EL01-02-Middle**

Case Name: Fisher Phillips -

Emerge Medical
Item ID: 5291-28
Category:: Hard Disk/Tape/Computer
Description: Image of Chaun Powell HP Tablet PC
Date Acquired:
Location: IN: IT Acceleration => EL01-02-Middle

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-29
Category:: Hard Disk/Tape/Computer
Description: Image of Chaun Powell Western Digital external hard drive - was originally identified as Zach Stassen's.
Date Acquired:
Location: IN: IT Acceleration => EL01-02-Middle

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-30
Category:: Hard Disk/Tape/Computer
Description: Zach Stassen Seagate Red- USB hard drive
Date Acquired:
Location: Item currently Disposed Of

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-31
Category:: Hard Disk/Tape/Computer
Description: Image of Zach Stassen Seagate Red- USB hard drive
Date Acquired:
Location: IN: IT Acceleration => EL01-02-Middle

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-32
Category:: Hard Disk/Tape/Computer
Description: Clone of Zach Stassen Seagate Red- USB hard drive
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-33
Category:: Hard Disk/Tape/Computer
Description: Image of Chaun Powell's Seagate Black- USB hard drive Was Zach Stassen's
Date Acquired:
Location: IN: IT Acceleration => EL01-02-Middle

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-34
Category:: Hard Disk/Tape/Computer
Description: Clone of Chaun Powell Western Digital external hard drive - was originally identified as Zach Stassen's.
Date Acquired:
Location: IN: IT Acceleration => EC01-03

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-35
Category:: Hard Disk/Tape/Computer
Description: Chaun Powell Seagate Black- USB hard drive, was originally identified as Zach Stassen's.
Date Acquired:
Location: Item currently Disposed Of

Case Name: Fisher Phillips -
Emerge Medical
Item ID: 5291-36
Category:: Hard Disk/Tape/Computer
Description: Clone of Chaun Powell HP Tablet PC
Date Acquired:
Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -
Emerge Medical

Item ID: 5291-37

Category:: Mobile Device (Phone, PDA)

Description: Clone of Zach Stassen AT&T Blackberry Bold phone. One case from DS, and one image created with MPE+ and case created with FTK3.4.

Date Acquired:

Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-38

Category:: Hard Disk/Tape/Computer

Description: John Marota IBM Thinkpad laptop

Date Acquired:

Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-39

Category:: Hard Disk/Tape/Computer

Description: Image of John Marota IBM Thinkpad laptop

Date Acquired:

Location: IN: IT Acceleration => EL01-02-Middle

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-40

Category:: Hard Disk/Tape/Computer

Description: Clone of John Marota IBM Thinkpad laptop

Date Acquired:

Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-41

Category:: Hard Disk/Tape/Computer

Description: Clone of Downloaded Exchange files for Zach Stassen, Chaun Powell, and John Marotta.

Date Acquired:

Location: IN: IT Acceleration => EC01-01

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-42

Category:: Optical Disk/Thumb Drive/Floppy

Description: Downloaded email files from Sam Sargent responsive to terms Maratta, Stassen, Powell, Trafka, and Stone.

Date Acquired:

Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-43

Category:: Optical Disk/Thumb Drive/Floppy

Description: CD-R created for the Emerge Medical and NetSuite Youtube Video

Date Acquired:

Location: Item currently 'Disposed Of'

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-44

Category:: Optical Disk/Thumb Drive/Floppy

Description: Downloaded email files from Sam Sargent responsive to terms Maratta, Stassen, Powell, Trafka, and Stone. ITA Backup Copy

Date Acquired:

Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-45

Category:: Optical Disk/Thumb Drive/Floppy

Description: CD-R created for the Emerge Medical and NetSuite Youtube Video. ITA

Backup copy

Date Acquired:

Location: IN: IT Acceleration => EL01-03-Right

Case Name: Fisher Phillips -

Emerge Medical

Item ID: 5291-46

Category: Hard Disk/Tape/Computer

**Description: Clone of Chaun Powell Seagate Black- USB hard drive
Was Zach Stassen - see comments.**

Date Acquired:

Location: IN: IT Acceleration => EC01-01

EXHIBIT 3-B

EXHIBIT B – Search Terms Applied

1. Zach Stassen Email Search

John OR
Marotta OR
(marotta.john@gmail.com) OR
(johnmarotta2@yahoo.com) OR
(jpmarotta@yahoo.com) OR
(jp.marotta@yahoo.com) OR
Synthes OR
SUSA OR
510k OR
(510 k) OR
(510 (k)) OR
(510(k)) OR
(info@vetorthx.com) OR
(info@premierassetsproperties.com) OR
(Non compet*) OR
(Non-compet*) OR
Noncompet* OR
NCA OR
Restrictive OR
Covenant OR
Nondisclos* OR
(Non Disclos*) OR
NDA OR
(Non Solicit*) OR
(Non-Solicit*) OR
Nonsolicit* OR
Injunct* OR
Enjoin* OR
Indemni* OR
(Skeleton Intelligence) OR
Intellipedics OR
Steve OR
Steven OR
Stephen OR
Morgan OR
(stevenjmorgan98@gmail.com) OR
Gilmore OR
Neil OR
Niel OR
Neal OR
Motzkin OR

Brian OR
Bryan OR
Hahn OR
Dave OR
David OR
Lembo OR
Aaron OR
Porter OR
Chance OR
Leonard OR
(Eric w/10 Brown) OR
(Brown w/10 Eric) OR
(Brown w/10 Colin) OR
(Colin w/10 Brown) OR
(brown.eric2009@gmail.com) OR
Wes OR
Wesley OR
Kaupinen OR
(wkaupinen@gmail.com) OR
Quaker OR
Bioventures OR
Volante* OR
Dsg* OR
Guccione OR
VetOrthx* OR
VetOrthyx* OR
(Ram precision) OR
Orchid

2. Chaun Powell Email Search

Synthes OR
SUSA OR
510k OR
(510 k) OR
(510 (k)) OR
(510(k)) OR
(info@vetorthx.com) OR
(info@premierassetsproperties.com) OR
(Non compet*) OR
(Non-compet*) OR
Noncompet* OR
NCA OR
Restrictive OR
Covenant OR
Nondisclos* OR
(Non Disclos*) OR
NDA OR
(Non Solicit*) OR
(Non-Solicit*) OR
Nonsolicit* OR
Injunct* OR
Enjoin* OR
Indemni* OR
(Skeleton Intelligence) OR
Intellipedics OR
Steve OR
Steven OR
Stephen OR
Morgan OR
(stevenjmorgan98@gmail.com) OR
Gilmore OR
Neil OR
Niel OR
Neal OR
Motzkin OR
Brian OR
Bryan OR
Hahn OR
Dave OR
David OR
Lembo OR
Aaron OR
Porter OR

Chance OR
Leonard OR
(Eric w/10 Brown) OR
(Brown w/10 Eric) OR
(Brown w/10 Colin) OR
(Colin w/10 Brown) OR
(brown.eric2009@gmail.com) OR
Wes OR
Wesley OR
Kaupinen OR
(wkaupinen@gmail.com) OR
Quaker OR
Bioventures OR
Volante* OR
Dsg* OR
Guccione OR
VetOrthx* OR
VetOrthyx* OR
(Ram precision) OR
Orchid

3. John Marotta Email Search

Zach* OR
Zack* OR
Stassen OR
(zstassen@gmail.com) OR
Synthes OR
SUSA OR
510k OR
(510 k) OR
(510 (k)) OR
(510(k)) OR
(info@vetorthx.com) OR
(info@premierassetsproperties.com) OR
(Non compet*) OR
(Non-compet*) OR
Noncompet* OR
NCA OR
Restrictive OR
Covenant OR
Nondisclos* OR
(Non Disclos*) OR
NDA OR
(Non Solicit*) OR
(Non-Solicit*) OR
Nonsolicit* OR
Injunct* OR
Enjoin* OR
Indemni* OR
(Skeleton Intelligence) OR
Intellipedics OR
Steve OR
Steven OR
Stephen OR
Morgan OR
(stevenjmorgan98@gmail.com) OR
Gilmore OR
Neil OR
Niel OR
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Motzkin OR
Brian OR
Bryan OR
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David OR
Lembo OR
Aaron OR
Porter OR
Chance OR
Leonard OR
(Eric w/10 Brown) OR
(Brown w/10 Eric) OR
(Brown w/10 Colin) OR
(Colin w/10 Brown) OR
(brown.eric2009@gmail.com) OR
Wes OR
Wesley OR
Kaupinen OR
(wkaupinen@gmail.com) OR
Quaker OR
Bioventures OR
Volante* OR
Dsg* OR
Guccione OR
VetOrthx* OR
VetOrthyx* OR
(Ram precision) OR
Orchid

4. Emerge e-DATA Search Terms

Synthes
SUSA
510k
510 k
Non compet*
Noncompet*
NCA
Restrictive
Covenant
Nondisclos*
Non Disclos*
NDA
Non Solicit*
Nonsolicit*
Injunct*
Enjoin*
Indemni*
Skeleton Intelligence
Intellipedics
Steve
Steven
Stephen
Morgan
stevenjmorgan98 gmail com
Gilmore
Neil
Niel
Neal
Motzkin
Brian
Bryan
Hahn
Dave
David
Lembo
Aaron
Porter
Chance
Leonard
Eric w/10 Brown
Brown w/10 Eric
Brown w/10 Colin
Colin w/10 Brown

brown eric2009 gmail com

Wes

Wesley

Kaupinen

wkaupinen gmail com

Quaker

Bioventures

Volante*

Dsg*

Guccione

VetOrthx*

VetOrthyx*

Ram precision

Orchid

END OF DOCUMENT